



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

February 15, 2010

VIA CERTIFIED MAIL

7002 0510 0002 7964 5628

Mr. Royce Haws
Alcoa Warrick Power Plant
Highway 66
Newburgh, Indiana 47629

Dear Mr. Haws:

Re: Modification Request for
NPDES General Permit No. ING040227
Alcoa Warrick Operations
Warrick County

Your NPDES permit Notice of Intent application received November 18, 2009, requesting modification of the above-referenced permit have been reviewed. The submittals requested that existing Outfall 001 (latitude 37°, 56', 52", longitude 87°, 18', 14"), Outfall 002 (latitude 37°, 56', 28", longitude 87°, 18', 14") and Outfall 003 (latitude 37°, 57', 30", longitude 87°, 18', 10.6") be reclassified as mine drainage status "reclamation". Per your request the outfalls have always been reclamation status, but an error on a previous application resulted in the permit being written with a mine drainage status of Alkaline being assigned to all outfalls. The request has been processed in accordance with Section 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15. Our office concurs that the documentation received does support a reclamation mine drainage status. Therefore your petition to revise existing NPDES permit ING040227 to reclassify the outfalls as reclamation mine drainage has been approved in accordance with Indiana Rules promulgated under 327 IAC15-7. Coverage for the facility will now include all outfalls described on Attachment 1 to this correspondence.

The NPDES general permit identification number assigned to this facility in the previous approval will continue to apply, as will all other testing and reporting that are required under 327 IAC 15-7 using the forms that were sent to you previously. An additional form is attached to this letter for use with the new outfalls. You should duplicate it as needed. Should you need additional copies of this form it is also available on the internet at the following web site:

<http://www.in.gov/idem/5104.htm>

327 IAC 15-7 is also available on the internet at the following website:

<http://www.in.gov/idem/4087.htm>

Additionally, you will continue to receive the computer generated preprinted federal NPDES DMR forms. Both the state and federal forms need to be completed and submitted on a routine basis. If you do not receive the preprinted DMR forms in a timely manner, please call this office at 317-232-8670.

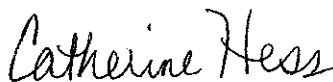
These modifications shall become effective on **March 1, 2010**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under 327 IAC 15-7 for all outfalls remains effective, and will expire on **April 30, 2013**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that any person who is adversely affected or aggrieved by approval under the cited NPDES general permit rule may, within eighteen (18) days from the mailing date of this notification, appeal this acceptance by filing a written petition for administrative review with the Office of Environmental Adjudication, in accordance with IC 4-21.5-3-7. This petition constitutes a request for an adjudicatory hearing. The procedure for appeal is outlined in more detail on the attached page.

The Office of Environmental Adjudication will provide parties who request review of this approval with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

If you have any questions regarding this letter, please contact Ms. Sheri L. Jordan of our office at (317) 232-8703.

Sincerely,



Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Slj/

Attachments

cc: Warrick County Health Department

ATTACHMENT 1

Alcoa Warrick Operations

NPDES PERMIT NO. ING040227

EFFECTIVE DATE: March 1, 2010

IDNR PERMIT NUMBERS: NA

OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
001	N/A	37°, 56', 52"	87°, 18', 14"	RECLAMATION	Unnamed tributary to Cypress Creek
002	N/A	37°, 56', 28"	87°, 18', 14"	RECLAMATION	Unnamed tributary to Cypress Creek
003	N/A	37°, 57', 30"	87°, 18', 10.6"	RECLAMATION	Unnamed tributary to Cypress Creek

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2010 - 2D -GP

DATE OF NOTICE: February 15, 2010

The Office of Water Quality issues the following NPDES GENERAL PERMIT.

MODIFICATION

ALCOA WARRICK OPERATIONS, Permit No. ING040227, WARRICK COUNTY, Newburgh, IN. This facility will discharge non-process wastewater from a coal mining, processing and reclamation site to an unnamed tributary to Cypress Creek. This modification is being issued because the facility is changing mine drainage status of all outfalls to "reclamation". The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing and Reclamation Activities. Permit Writer: Sheri Jordan at 317/232-8703.

PROCEDURES TO APPEAL

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:
Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC - North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed within eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.

January 30th, 2009

Certified Mail – 7006 0810 0001 5982 3064

IDEM
OFFICE OF
WATER QUALITY
2009 NOV 18 A 10:03

Attention: Permits Section, General Permit Desk
Indiana Department of Environmental Management
Office of Water Management - Permits Section
100 North Senate Avenue, Room N1255
Indianapolis, Indiana 46204

RE: Permit modification to ~~permit~~ **ING040227**

To Whom It May Concern:

Introduction

This Notice of Intent Letter is submitted in compliance with 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities. This request is for a modification of a current general permit, ING040227 associated with storm-water discharge for a post-mining reclamation facility.

Facility Location

The facility is located in Warrick County, east of Newburgh, IN. The nearest intersection to the new discharge location is Kaiser and Eble Rds at 37°57'30"N and 87°17'10.6"W.

Facility Contact Information

Facility Name: Alcoa Warrick Operations
Address: Highway P.O. Box 10 Newburgh, IN 47629
Contact Name: Dennis Wene – 860E1
Telephone: 812-853-4625
Email: dennis.wene@alcoa.com

Applicability Requirements

This is a new outfall that falls under permit ING040227.

Discharge Locations & Receiving Stream

There is no active mining in the watershed of the proposed stormwater outfalls. The site is being reclaimed under the Indiana Abandoned Mined Land Program using coal combustion byproducts from the Alcoa Warrick Power Plant. During the pit dewatering process, a hydraulic connectivity was found between the North Pond and the Y-Pit. The water level in the North Pond dropped approximately three (3) feet. In response to this issue, water has been pumped back into the North Pond from the Y-Pit to attempt to maintain the level in the North Pond. However, there is a drainage point in the pond and that drainage point may overflow during the course of this replenishing activity. It is currently being monitored to ensure that water does not overflow this system.

Alcoa respectfully requests that at times when water is pumped from the Y-Pit into the North pit, that we monitor this new outfall, and in the event that there is a discharge, that we would be subject to monitoring requirements. Once pumping has ceased, whether permanently or

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for extended periods of time, these monitoring requirements would not have to be met as any overflow from this pond would occur due to natural storm water events and not the addition of water from the Y-Pit.

A description of the proposed outfall is provided in accordance with section 7 (a) (1-4) of 327 IAC 15-7, see Table 1

Table 1. Discharge Information

Outfall #	Wastewater/ Stormwater	Latitude / Longitude (Decimal Degrees)	Receiving Stream	Mine Drainage Status	Dry Weather Base Flow (mgd)
003S	Stormwater	37°57'30" 87°18'10.6"	South 550 Road Ditch, a tributary of Cypress Creek	Alkaline, Post- mining area	0.33

*Should be
"Post Mining"*

A topographical map identifying the location of the facility, post mining reclamation area, numbered outfall and receiving streams is provided as **Attachment 1. Topographical Map.**

Public Notice

The public notice required in 327 IAC-7-5 (b) was published in Newburgh-Chandler Register newspaper which circulates weekly in the Town of Newburgh and Warrick County. This is the newspaper with the largest circulation in the area. A copy of the public notice, including publication date is provided as **Attachment 2. Public Notice.**

Potentially Affected Parties

The potentially affected parties form required by the IDEM was completed and the form is provided as **Attachment 3. Potentially Affected Parties Form.**

If you have any questions, please feel free to contact me at (812) 853-4625

Sincerely

Denny Wene
Sr Staff Environmental Engineer

